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3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 UNITED STATES OF AMERICA,)

8 Plaintiff,)

9 v.)

10 TERRY MICHAEL HILL,)

11 Defendant.)

Case No. CR03-13MJP

**PROPOSED FINDINGS OF FACT AND
DETERMINATION AS TO ALLEGED
VIOLATIONS OF SUPERVISED
RELEASE**

12 INTRODUCTION

13 I conducted a hearing on alleged violations of supervised release in this case on September
14 19, 2008. The defendant appeared pursuant to a summons. The United States was represented by
15 Annette Hayes, and defendant was represented by Paula Deutsch. Also present was U.S.
16 Probation Officer Steven Gregoryk. The proceedings were digitally recorded.

17 CONVICTION AND SENTENCE

18 Defendant was sentenced on August 4, 2003, for Possession of Visual Depictions of Minors
19 Engaged in Sexually Explicit Conduct. He received 33 months of imprisonment and three years
20 of supervised release.

21 PRIOR ACTION AND MODIFICATIONS

22 On May 15, 2006, the Court modified Mr. Hill's conditions of supervised release to include
23 the condition that he reside in a Residential Reentry Center (RRC) for 180 days. On August 28,

PROPOSED FINDINGS OF FACT AND
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SUPERVISED RELEASE -1

1 2007, the Court modified Mr. Hill's conditions of supervised release to include the condition that
2 he reside in an RRC for up to 180 days. On March 4, 2008, the Court again modified Mr. Hill's
3 conditions of supervision to include the condition that he reside in an RRC for 180 days.

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5 PRESENTLY ALLEGED VIOLATION AND
6 DEFENDANT'S ADMISSION OF THE VIOLATION

7 In a petition dated August 20, 2008, Supervising U.S. Probation Officer Steven Gregoryk
8 alleged that defendant violated the following condition of supervised release:

9 1. As part of his sexual offender treatment program, failing to make reasonable progress and
10 all scheduled individual and group sessions, in violation of the special condition of supervision,
11 which requires the defendant to attend, actively participate, and make reasonable progress in all
12 individual and group sex offender treatment programs.

13 After being advised of his rights, Mr. Hill admitted the violation. Pursuant to the
14 government's and probation officer's request, the court ordered, as a condition of release, that
15 Mr. Hill abide by all previously ordered conditions of supervision, and be placed on the
16 electronic home monitoring passive global positioning program.

17 RECOMMENDED FINDINGS AND CONCLUSIONS

18 Based upon the foregoing, I recommend the Court find that defendant has violated the
19 conditions of his supervised release as alleged above, and conduct a disposition hearing.

20 DATED this 19th day of September, 2008.

21 

22 BRIAN A. TSUCHIDA
23 United States Magistrate Judge